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UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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COMMISSIONER FOR PATENTS

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/828,995	04/09/2001	Catherine A. McCall	AL-7

26949
HESKA CORPORATION
INTELLECTUAL PROPERTY DEPT.
1613 PROSPECT PARKWAY
FORT COLLINS, CO 80525

CONFIRMATION NO. 9579
FORMALITIES LETTER

OC000000007170391

Date Mailed: 12/07/2001

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

For questions regarding compliance to these requirements, please contact:

- **For Rules Interpretation, call (703) 308-4216**
- **To Purchase PatentIn Software, call (703) 306-2600**
- **For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov**

A copy of this notice MUST be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 2 - COPY TO BE RETURNED WITH RESPONSE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:	) Group Art Unit: 1646
	)
McCall, Catherine A.	) Examiner:
Tang, Liang	)
	) RESPONSE TO
Serial No.: 09/828,995	) NOTICE TO COMPLY
	)
Filed: April 9, 2001	)
	)
Atty. File No.: AL-7	)
	)
For: "COMPOSITIONS AND METHODS	)
RELATED TO CANINE IgG AND	)
CANINE IL-13 RECEPTORS"	)

BOX SEQUENCE
U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, Virginia 22202

Dear Sir:

This is in response to the Notice to Comply With Requirements for Patent Applications

Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, mailed from the

Patent and Trademark Office on December 7, 2001. Applicants respectfully submit the

following documents:

(a) a copy of the Notice to Comply;

(b) a corrected electronic copy of the "Sequence Listing" of SEQ ID NO:1 through

SEQ ID NO:104 in computer readable form (diskette);

(c) a corrected paper copy, pages 1 through 114, of the "Sequence Listing" of SEQ ID

NO:1 through SEQ ID NO:104; and

(d)   a statement that the paper and computer readable copies are the same and include no new matter.

REMARKS

PatentIn 3.1 was used to prepare the replacement paper and diskette copies of the "Sequence Listing" of SEQ ID NO:1 through SEQ ID NO:104. Applicants respectfully submit that the replacement paper and diskette copies of the "Sequence Listing" embody merely the correction of minor clerical errors and therefore include no new matter.

Applicants hereby assert pursuant to 37 CFR § 1.821(f) and (g) and § 1.825(b) that the content of the replacement paper and computer readable copies of SEQ ID NO:1 through SEQ ID NO:104 submitted herewith are the same, and include no new matter.

Applicants do not believe that fees are due, but in the event fees are due, please debit Deposit Account No. 081930.
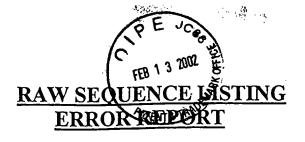
Respectfully submitted,
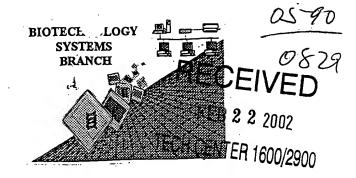
Dated: February 7, 2002

Richard J. Stern, Ph.D.
Registration No. P-50,668
Heska Corporation
1613 Prospect Parkway
Fort Collins, Colorado 80525
Telephone: (970) 493-7272
Facsimile: (970) 491-9976

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SYSTEMS
BRANCH

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The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following computer readable form:

Application Serial Number: _09/828,995A_

Source: _OIPE_

Date Processed by STIC: _9/13/2001_

THE ATTACHED PRINTOUT EXPLAINS DETECTED ERRORS.
PLEASE FORWARD THIS INFORMATION TO THE APPLICANT BY EITHER:
1) INCLUDING A COPY OF THIS PRINTOUT IN YOUR NEXT COMMUNICATION TO THE APPLICANT, WITH A NOTICE TO COMPLY or,
2) TELEPHONING APPLICANT AND FAXING A COPY OF THIS PRINTOUT, WITH A NOTICE TO COMPLY
FOR CRF SUBMISSION QUESTIONS, PLEASE CONTACT MARK SPENCER, 703-308-4212.

FOR SEQUENCE RULES INTERPRETATION, PLEASE CONTACT ROBERT WAX, 703-308-4216.
PATENTIN 2.1 e-mail help: patin21help@uspto.gov or phone 703-306-4119 (R. Wax)
PATENTIN 3.0 e-mail help: patin3help@uspto.gov or phone 703-306-4119 (R. Wax)

TO REDUCE ERRORED SEQUENCE LISTINGS, PLEASE USE THE **CHECKER VERSION 3.0 PROGRAM**, ACCESSIBLE THROUGH THE U.S. PATENT AND TRADEMARK OFFICE WEBSITE. SEE BELOW:

Checker Version 3.0

The Checker Version 3.0 application is a state-of the-art Windows based software program employing a logical and intuitive user-interface to check whether a sequence listing is in compliance with format and content rules. Checker Version 3.0 works for sequence listings generated for the original version of 37 CFR §§1.821 – 1.825 effective October 1, 1990 (old rules) and the revised version (new rules) effective July 1, 1998 as well as World Intellectual Property Organization (WIPO) Standard ST.25.
Checker Version 3.0 replaces the previous DOS-based version of Checker, and is Y2K-compliant. Checker allows public users to check sequence listings in Computer Readable form (CRF) before submitting them to the United States Patent and Trademark Office (USPTO).
Use of Checker prior to filing the sequence listing is expected to result in fewer errored sequence listings, thus saving time and money.

Checker Version 3.0 can be down loaded from the USPTO website at the following address:
http://www.uspto.gov/web/offices/pac/checker

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ERROR DETECTED | SUGGESTED CORRECTION | SERIAL NUMBER: 09/823,

ATTN: NEW RULES CUSTOMERS: PLEASE DISREGARD ENGLISH "ALPHA" HEADERS, WHICH WERE INSERTED BY PTO SOFTWARE

1 ___ Wrapped Nucleics
Wrapped Aminos

The number/text at the end of each line "wrapped" down to the next line. This may occur if your file was retrieved in a word processor after creating it. Please adjust your right margin to .3; this will prevent "wrapping."

2 ___ Invalid Line Length

The rules require that a line not exceed 72 characters in length. This includes white spaces.

3 ___ Misaligned Amino
Numbering

The numbering under each 5* amino acid is misaligned. Do not use tab codes between numbers; use space characters, instead.

4 ___ Non-ASCII

The submitted file was not saved in ASCII(DOS) text, as required by the Sequence Rules. Please ensure your subsequent submission is saved in ASCII text.

5 ___ Variable Length

Sequence(s) ___ contain n's or Xaa's representing more than one residue. Per Sequence Rules, each n or Xaa can only represent a single residue. Please present the maximum number of each residue having variable length and indicate in the <220>-<223> section that some may be missing.

6 ___ PatentIn 2.0
"bug"

A "bug" in PatentIn version 2.0 has caused the <220>-<223> section to be missing from amino acid sequences(s) ___. Normally, PatentIn would automatically generate this section from the previously coded nucleic acid sequence. Please manually copy the relevant <220>-<223> section to the subsequent amino acid sequence. This applies to the mandatory <220>-<223> sections for Artificial or Unknown sequences.

7 ___ Skipped Sequences
(OLD RULES)

Sequence(s) ___ missing. If intentional, please insert the following lines for each skipped sequence:
(2) INFORMATION FOR SEQ ID NO:X: (insert SEQ ID NO where "X" is shown)
(i)   SEQUENCE CHARACTERISTICS: (Do not insert any subheadings under this heading)
(xi) SEQUENCE DESCRIPTION:SEQ ID NO:X: (insert SEQ ID NO where "X" is shown)
This sequence is intentionally skipped

Please also adjust the "(ii) NUMBER OF SEQUENCES:" response to include the skipped sequences.

8 ___ Skipped Sequences
(NEW RULES)

Sequence(s) ___ missing. If intentional, please insert the following lines for each skipped sequence.
<210> sequence id number
<400> sequence id number
000

9 ___ Use of n's or Xaa's
(NEW RULES)

Use of n's and/or Xaa's have been detected in the Sequence Listing.
Per 1.823 of Sequence Rules, use of <220>-<223> is MANDATORY if n's or Xaa's are present.
In <220> to <223> section, please explain location of n or Xaa, and which residue n or Xaa represents.

10 ___ Invalid <213>
Response

Per 1.823 of Sequence Rules, the only valid <213> responses are: Unknown, Artificial Sequence, or scientific name (Genus/species). <220>-<223> section is required when <213> response is Unknown or is Artificial Sequence

11 ___ Use of <220>

Sequence(s) ___ missing the <220> "Feature" and associated numeric identifiers and responses. Use of <220> to <223> is MANDATORY if <213> "Organism" response is "Artificial Sequence" or "Unknown." Please explain source of genetic material in <220> to <223> section.
(See "Federal Register," 06/01/1998, Vol. 63, No. 104, pp. 29631-32)   (Sec. 1.823 of Sequence Rules)

12 ___ PatentIn 2.0
"bug"

Please do not use "Copy to Disk" function of PatentIn version 2.0. This causes a corrupted file, resulting in missing mandatory numeric identifiers and responses (as indicated on raw sequence listing). Instead, please use "File Manager" or any other manual means to copy file to floppy disk.

13 ___ Misuse of n

n can only be used to represent a single nucleotide in a nucleic acid sequence. N is not used to represent any value not specifically a nucleotide.

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RAW SEQUENCE LISTING
PATENT APPLICATION: US/09/828,995A

DATE: 09/13/2001
TIME: 11:05:09

Input Set : A:\Al-71.app
Output Set: N:\CRF3\09132001\I828995A.raw

Does Not Comply
Corrected Diskette Needed

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  3 <110> APPLICANT: McCall, Catherine A.
  4        Tang, Liang
  5        Heska Corporation
  7 <120> TITLE OF INVENTION: COMPOSITIONS AND METHODS RELATED TO CANINE IgG AND
  8        CANINE IL-13 RECEPTORS
 10 <130> FILE REFERENCE: AL-7
 12 <140> CURRENT APPLICATION NUMBER: 09/828,995A
 13 <141> CURRENT FILING DATE: 2001-04-09
 15 <150> PRIOR APPLICATION NUMBER: 60/195,659
 16 <151> PRIOR FILING DATE: 2000-04-07
 18 <150> PRIOR APPLICATION NUMBER: 60/195,874
 19 <151> PRIOR FILING DATE: 2000-04-07
 21 <160> NUMBER OF SEQ ID NOS: 104
 23 <170> SOFTWARE: PatentIn Ver. 2.1
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ERRORED SEQUENCES

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      1358 <210> SEQ ID NO: 26
      1359 <211> LENGTH: 239
      1360 <212> TYPE: PRT
      1361 <213> ORGANISM: Canis familiaris
      1363 <400> SEQUENCE: 26
      1364 Met Ser Ser Asp Met Ala Trp Ser Pro Leu Leu Leu Thr Leu Leu Ala
      1365  1               5                  10                  15
      1367 His Cys Thr Gly Ser Trp Ala Gln Ala Val Leu Asn Gln Pro Ala Ser
      1368              20                  25                  30
      1370 Val Ser Gly Ala Leu Gly Gln Lys Val Thr Ile Ser Cys Ser Gly Asp
      1371              35                  40                  45
      1373 Thr Asn Asp Ile Asp Ile Phe Gly Val Asn Trp Tyr Gln Gln Leu Pro
      1374          50                  55                  60
      1376 Gly Lys Ala Pro Thr Val Leu Val Asp Ser Asp Gly Asp Arg Pro Ser
      1377  65                  70                  75                  80
      1379 Gly Val Pro Asp Arg Phe Ser Gly Ser Ser Ser Gly Asn Ser Gly Thr
      1380              85                  90                  95
      1382 Leu Thr Ile Thr Gly Leu Gln Ala Glu Asp Glu Ala Asp Tyr Tyr Cys
      1383             100                 105                 110
      1385 Gln Ser Val Asp Ser Thr Leu Gly Val Tyr Val Phe Gly Ser Gly Thr
      1386             115                 120                 125
      1388 Gln Leu Thr Val Leu Gly Gln Pro Lys Ala Ser Pro Ser Val Thr Leu
      1389             130                 135                 140
E--> 1391 Phe Pro Xaa Xaa Xaa Glu Glu Leu Gly Ala Asn Lys Ala Thr Leu Val
      1392 145                 150                 155                 160
E--> 1394 Cys Leu Ile Ser Asp Phe Tyr Pro Xaa Gly Val Thr Val Ala Trp Lys
      1395             165                 170                 175
      1397 Ala Asp Gly Ser Pro Val Thr Gln Gly Val Glu Thr Thr Lys Pro Ser
      1398             180                 185                 190
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RAW SEQUENCE LISTING   DATE: 09/13/2001
PATENT APPLICATION: US/09/828,995A   TIME: 11:05:09

Input Set : A:\A1-71.app
Output Set: N:\CRF3\09132001\I828995A.raw

```
1400 Lys Gln Ser Asn Asn Lys Tyr Ala Ala Ser Ser Tyr Leu Ser Leu Thr
1401         195             200             205
1403 Pro Asp Lys Trp Lys Ser His Ser Ser Phe Ser Cys Leu Val Thr His
1404     210             215             220
1406 Glu Gly Ser Pro Val Glu Lys Lys Val Ala Pro Ala Lys Cys Ser
1407 225             230             235
```

PDF

VERIFICATION SUMMARY
PATENT APPLICATION: US/09/828,995A

DATE: 09/13/2001
TIME: 11:05:11

Input Set : A:\Al-71.app
Output Set: N:\CRF3\09132001\I828995A.raw

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L:703 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:16
L:959 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:18
L:1323 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:25
L:1324 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:25
L:1332 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:25
L:1391 M:340 E: (46) "n" or "Xaa" used: Feature required, for SEQ ID#:26
M:340 Repeated in SeqNo=26
L:1429 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:27
L:1506 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:28
L:1508 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:28
L:1574 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:30
L:1575 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:30
L:2251 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:40
L:2363 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:48
L:2865 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:57
L:2935 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:59
L:3073 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:60
L:3172 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:62
L:4904 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:83
L:4937 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:84
L:4965 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:85
L:4993 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:86
L:5026 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:87
L:5049 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:88
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